

UNITED STATES DISTRICT COURT

Southern

District of

New York

Picture Patents, LLC

V.

SUMMONS IN A CIVIL ACTION

Aeropostale, Inc.
Dick's Sporting Goods, Inc.
Bath & Body Works, LLC
The Charlotte Russe, Inc.
GSI Commerce Solutions, Inc.
National Basketball Association, Inc.
Major League Baseball Enterprises, Inc.
Linens 'n Things, Inc.
Tweeter Home Entertainment Group, Inc.
Buy.com, Inc.

CASE NUMBER: 07cv5567

TO: Major League Baseball Enterprises, Inc.
245 Park Avenue
New York, NY 10167

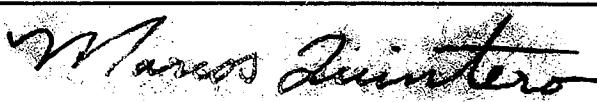
YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY

Thomas J. Parker
Alston & Bird LLP
90 Park Avenue
New York, NY 10016

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK



(By) DEPUTY CLERK

DATE

FEB 01 2008

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PICTURE PATENTS, LLC,

Plaintiff,

V.

AEROPOSTALE, INC., DICK'S SPORTING
GOODS, INC., BATH & BODY WORKS, LLC,
THE CHARLOTTE RUSSE, INC., GSI
COMMERCE SOLUTIONS, INC., NATIONAL
BASKETBALL ASSOCIATION, INC., MAJOR
LEAGUE BASEBALL ENTERPRISES, INC.,
LINENS 'n THINGS, INC., TWEETER HOME
ENTERTAINMENT GROUP, INC., BUY.COM,
INC.

Defendants.

STATE OF NEW YORK)

) ss:

COUNTY OF NEW YORK)

X

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X

Case No. 07cv5567

**AFFIDAVIT OF
SERVICE**

Jeannine Grudzien, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and is employed by Alston & Bird LLP.

That on the 6th day of February, 2008, at approximately 3:05 p.m., deponent served a copy of the Summons, First Amended Complaint, Individual Practices of Judge John G. Koeltl, and Individual Practices of Magistrate Judge Henry Pitman upon Major League Baseball Enterprises, Inc., 245 Park Avenue, New York, New York 10167 by personally delivering and leaving the same with Grace Carrasco, Senior Administrative Assistant to Ethan Arlinski, who was authorized to accept service.

Grace Carrasco is a Hispanic female, approximately 30 years old, stands approximately 5 feet 2 inches tall and weighs approximately 120 pounds, and wears eye glasses.

Jeannine Grudzien
Jeannine Grudzien

Sworn to before me this
6th day of February, 2008

Kim Fitzgerald
Notary Public

KIM FITZGERALD
Notary Public, State of New York
No. 01FL609313
Qualified in Kings County
Certificate Filed in New York County
Commission Expires August 9, 2009